

SPEECH

OF

HON. T. J. TURNER, OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES, THURSDAY, JULY 6, 1848,

On the Resolutions reported by the Committee on Commerce in relation to Internal Improvements, the President's veto Message, &c.

On the twenty-third day of June, Mr. WASHINGTON HUNT, chairman of the Committee on Commerce, reported the following resolutions:

"Resolved, That the Constitution of the United States vests in Congress the power to appropriate money to open and improve harbors, and remove obstructions from navigable rivers, in all cases where such improvements are necessary to the protection and facility of commerce with foreign nations or the commerce among the States.

"2. Resolved, That the interests of our national commerce, the common defence, and general welfare of the United States, require a judicious exercise of the foregoing powers.

"3. Resolved, That the reasons assigned by the President in his veto message of December 15, 1847, for his refusal to approve and sign the bill passed March 3, 1847, making appropriations for the improvement of certain harbors and rivers, are deemed insufficient and unsatisfactory.

"4. Resolved, That it would be inexpedient, and contrary to the principles of the Constitution, to give the general consent of Congress, in advance of legislation by the States, to the imposition of tonnage duties by the several States as a means of improving the ports and harbors at which such duties may be levied.

"5. Resolved, That the report of the Committee on Commerce on the memorial of the Chicago Convention, respecting harbor and river improvements, the President's message of December 15, 1847, on the same subject, and the bill referred to said committee in relation to tonnage duties, with the minority report on the same subject, be printed, and that the Committee on Printing be directed to inquire into the expediency of printing extra copies of said report."

Upon the first four of which he moved the previous question.

Mr. COBB, of Georgia, raised a question of order.

Debate arising thereon—

The CHAIR ruled that the resolutions must lie over.

On the 5th day of July, Mr. HUNT called for the orders of the day; and, the resolutions coming up in order—

Mr. SIMS, who was entitled to the floor, said he had no disposition to occupy the time of the House, at this late period of the session, upon these resolutions. He therefore moved to lay the report and resolutions upon the table; which motion was decided in the negative—yeas 65, nays 109.

Mr. HUNT, after speaking at length to the resolutions, was about to move the previous question; when

Mr. TURNER inquired if the report and resolutions had been printed.

Mr. HUNT replied that they had not been printed by order of the House, but they had been published in the newspapers.

Mr. TURNER hoped the gentleman would allow them to be

referred, or at least postponed, until they could be examined by all the members.

Mr. HUNT replied, they had been published in the papers of the city, and he could not suppose it was necessary to take up any further time for gentlemen to prepare to vote. At the close of his speech, Mr. H. demanded the previous question; which was seconded by the House.

The question recurring upon the passage of the first resolution, it was decided in the affirmative.

Mr. TURNER moved to reconsider the vote by which the resolution had been passed, stating that he had made that motion that he might be enabled to give his reasons why he was opposed to the passage of these resolutions at this time.

Mr. COBB, of Georgia, (after consultation with Mr. TURNER,) moved that the House go into Committee of the Whole on the State of the Union; which motion was agreed to.

Thursday, July 6th, the first business in order was the motion to reconsider the vote of yesterday, by which the first resolution was agreed to.

Mr. TURNER, who was entitled to the floor, said:

Mr. SPEAKER: I do not rise for the purpose of entering into an argument upon the constitutionality of the doctrines set forth in the resolutions now under consideration. It would be presumption in me, with the limited time I have had for preparation, to attempt the discussion of a subject which has vexed the minds of the greatest, the wisest, and the best statesmen of every age of this Republic; but I hope I shall be permitted, in the brief hour allotted to me, to offer some reasons why we should not at this time be forced to vote upon these resolutions, under the operation of the gag thrust into our mouths by the adoption of the previous question. I have not been long a member of Congress, but since the adoption of the unnatural and tyrannical order of cutting off all debate upon this momentous question, I have inquired of some of the oldest members of this House, who have informed me that it is unusual and almost unheard of, for the chairman of a committee to report a measure, involving grave constitutional questions, and, after making an argument in its support, move the previous question, and thereby cut off all opportunity either to reply to the speech or to controvert the measure. I therefore sought the floor in the man-

ner I did, that I might hold up to the scorn of the world, a course of conduct which is as dangerous to the liberties of our country as it is degrading to the dignity and character of this body. Has the accidental majority in this House invested the Whig party with so much wisdom, that these measures are beyond the capacity of the minority? Or are they so corrupt that they fear to expose them to the light of truth and argument? Sir, I can look upon this whole proceeding in no other light than a cowardly attempt to force men to a vote which will either commit them to doctrines of the most monstrous character, or place them in a false position before the country.

These resolutions have been drawn up with a subtlety and refinement of expression well calculated to deceive those who have not studied the Constitution with reference to that subject. The first declares, "That the Constitution of the United States vests in Congress the power to appropriate money to open and improve harbors, and remove obstructions from navigable rivers, in all cases where such improvements are necessary to the protection and facility of commerce with foreign nations, or the commerce among the States;" the second declares, "That the interests of our national commerce, the common defence, and general welfare of the United States, require a judicious exercise of the foregoing powers." The committee, instead of informing us where that power was derived, has culled out words and mangled the phraseology of the first and second clauses of the eighth section of the first article of the Constitution, which to my mind indicates that they did not themselves know exactly where the power was to be found.

Mr. HUNT. We found it in that clause of the Constitution which provides: "The Congress shall have power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Mr. TURNER. I thank the gentleman for the information, and I will now examine some of the powers granted by that clause, as explained in the resolutions under consideration. I do not understand that the verb "to regulate" means "protection and facility;" nor do I believe that any man would put that construction upon it, in the connexion where it occurs, unless he were seeking a power where it was not clearly expressed. But granting, for the sake of the argument, that that clause vests the power in Congress to appropriate money wherever it may protect and facilitate commerce, let us look at the monstrous character of that power. First, it embraces every conceivable object whereby commerce may be *protected* and *facilitated* with foreign nations. Under it, we may build harbors from the Aroostook to the Rio Grande, and fill every one of them with merchant vessels, rigged and manned at the public expense. We may build storehouses, establish boards of inspectors, employ agents and clerks, and, in short, enter into competition with private enterprise upon every sea. Nor are we confined to the ocean; but, commencing at the Gulf of St. Lawrence, we may enter into trade upon the great chain of northern lakes, and the trackless wilds of the northwest, that separate us from the British and Russian fur-traders; we may construct commercial roads, and control the Mexican trade along the whole line of our southern frontier; and all this is but a prelude

to the gigantic power granted, if we allow that construction to be given to that clause of the Constitution; for the same language that grants the power over foreign commerce will give Congress the control of commerce among the States, to protect and facilitate which we may clear out obstructions from every river in the Union; deepen the channels of creeks, build roads, dig canals, construct railways, and cover them with national wagons, and cars, and steamboats, and drays, and all the appendages of commercial business. Nor do we stop here: for the power extends to the Indian tribes; and we may fit out trading companies, to traffic among every tribe that wanders over the vast regions of the West, from the Mississippi to the Pacific, and from the forty-ninth parallel of latitude to the Gila river, on the borders of Mexico. I do not say that the resolutions under consideration assert all that power; but I say, that the construction which the gentleman from New York is pleased to give that clause in the Constitution, and which is necessary to be given to it in order to derive therefrom the powers declared to exist by the resolution, carries with it all the power I have specified, and more. It is therefore I say the resolutions are calculated to deceive those who may not have had time to examine them. The first only claims the power to appropriate money to open and improve harbors and clear out navigable rivers, wherever necessary to protect and facilitate commerce with foreign nations and among the States; and by adopting a portion of the language of the Constitution, as well as by the explanation of the gentleman from New York, we are no longer left in doubt as to where the power is claimed to exist; and our votes upon that resolution will be quoted as a construction upon that particular clause of the Constitution, and consequently will be claimed as a precedent for every appropriation that the cupidity or avarice of unprincipled politicians may demand. By it we open the floodgates of dissipation and extravagance, and break down all the barriers of the Constitution that stand between the treasury and the most reckless expenditures; for in that power is embraced every object upon which money can be expended in aid of commerce, from where the Indian in the Far West loads his canoe with coon-skins, to where the mighty steamer bears the products of foreign climes upon the broad bosom of the ocean.

The second resolution declares "that the interests of our national commerce, the common defence, and general welfare of the United States, require a judicious exercise of the foregoing powers." What powers? The power to protect and facilitate commerce by appropriating money to make harbors and improve rivers.

The SPEAKER. I would remind the gentleman from Illinois that it is not in order to discuss any of the resolutions but the first, as his motion is to reconsider the vote by which that resolution was passed.

Mr. TURNER. I am aware, sir, that it is not in order to discuss the second resolution, as such; but the first resolution declares a power, the second, third, and fourth are argumentatives, and give reasons why the power is claimed by the first; and I hope I shall be permitted to answer those arguments; but I shall pass over the second resolution very briefly. If we are to understand that

a judicious exercise of the "foregoing powers" means that we shall borrow money on the credit of the nation to put in operation an extensive system of internal improvements, then I am opposed to the resolution; but if it means that when there is a surplus in the treasury, or when the state of our finances are such that we may open harbors and improve rivers, where they are of a national and not local character, without incurring a national debt, and where the improvements would not interfere with the sovereignty of the State or States within which they may be made, then I am in favor of it; but it is so uncertain and indefinite, that no general construction can be given to it, but, on the contrary, is susceptible of indefinite expansion and contraction, to suit the tastes or cupidity of every man who would thrust his hands into the public treasury, to enrich himself or the district which he may represent. And if, in the days preceding the vetoes of President Jackson, "it had begun to be considered the highest merit in a member of Congress to be able to procure appropriations of public money to be expended within his district or State, whatever might be the object," how much more so has it become at the present time? How many members hold their seats on this floor in consequence of pledges to support and aid the passage of bills appropriating money in their own districts. These resolutions are sufficiently broad to embrace all that class of cases.

The third resolution demands a more extended notice. It resolves that the reasons assigned by the President, in his veto message of December 15, 1847, "are deemed insufficient and unsatisfactory;" and if I understood rightly the gentleman from New York the other day, when speaking in favor of this resolution, he said the President had unnecessarily made an issue with the House on the subject of internal improvements. I do not so understand it. The President did no more than the Constitution required he should do; and however insufficient and unsatisfactory his reasons may be to the mind of the gentleman from New York, and those who think with him, they were evidently sufficient and satisfactory to the mind of the President; and I would like to see some gentlemen on this floor controvert successfully the arguments used in that document. Such a course would at least be more fair and honorable than to condemn them by a sweeping resolution, forced through this House under the gag of the previous question. If his reasons were weak and untenable, they could be overthrown by argument, their defects pointed out, their sophistry exposed, and their errors corrected; and I appeal to gentlemen if such a course would not have been more fair, just, and honorable. I do not stand here to vindicate the President or his veto, but I stand here to expose the baseness of this attempt to force members to commit themselves to an undefined abstraction, to compel them to vote a censure upon the Chief Magistrate of the nation, without allowing his friends an opportunity to defend him, or, by voting against the resolutions, to place themselves in a false position before the country and their constituents; and, sir, while other men may walk up and vote for those resolutions, because they fear they will be set down as against all improvements, I shall take the responsibility of opposing them; I shall reserve my votes for more

practical questions. But why this attack upon the President? Has he done anything more than Jackson and Madison did on similar occasions? If Mr. Polk arrested by his veto a bill appropriating money for internal improvements, did they not do likewise? and yet their reasons were never arraigned before Congress and condemned by resolution. And wherein do the reasons of Mr. Polk differ from those of other Presidents who have exercised the same power, that they should be subject to this manner of condemnation?

In looking into the message referred to, I find the first reason assigned to be the following, in which he alludes to his former veto of a similar bill, and adopts the same argument in this:

"The circumstances under which this heavy expenditure of public money was proposed, were of imposing weight in determining upon its expediency. Congress had recognized the existence of war with Mexico, and to prosecute it to 'a speedy and successful termination,' had made appropriations exceeding our ordinary revenues. To meet the emergency, and provide for the expenses of the Government, a loan of twenty-three millions of dollars was authorized at the same session, which has since been negotiated. The practical effect of this bill, had it become a law, would have been to add the whole amount appropriated by it to the national debt. It would, in fact, have made necessary an additional loan to that amount, as effectually as if, in terms, it had required the Secretary of the Treasury to borrow the money therein appropriated. The main question in that aspect is, whether it is wise, while all the means and credit of the Government are needed to bring the existing war to an honorable close, to impair the one and endanger the other, by borrowing money to be expended in a system of internal improvements capable of an expansion sufficient to swallow up the revenues not only of our own country, but of the civilized world? It is to be apprehended, that by entering upon such a career at this moment, confidence, at home and abroad, in the wisdom and prudence of the Government, would be so far impaired as to make it difficult, without an immediate resort to heavy taxation, to maintain the public credit, and to preserve the honor of the nation and the glory of our arms, in prosecuting the existing war to a successful conclusion."

Now, I submit to gentlemen, particularly those who were in favor of prosecuting the war, if these reasons are not sufficient and satisfactory? Were not all the means and energies of the country embarked in the war? and was it not wise in Mr. Polk to avert by his veto a resort to heavy and increased taxation to "maintain the public credit and to preserve the honor of the nation and the glory of our arms?" But it may be answered, that our credit was good, and that the money could have been had upon fair terms. That answer may satisfy *Democrats* who condemn the veto, but I apprehend the *Whigs* will not regard it as sufficient and satisfactory, for they predicted that the war itself would plunge us hopelessly in debt, and that we would be unable to borrow money to carry it on; and while history records the singular fact, that our credit improved during the prosecution of the war, it is quite uncertain if it would not have had a different duty to perform if the firmness of the President had not arrested an extravagant expenditure of money for internal improvements. Now, let us compare the circumstances of the country, and the reasons of President Polk for his veto, with the circumstances and reasoning of President Jackson, when he vetoed the Maysville road bill. In one case, the country was involved in a foreign war, the whole revenues were absorbed, and a large public debt had accrued in the successful prosecution thereof, and that is assigned by President Polk as the principal reason for the veto. In the other, the country was in profound peace, the pub-

lic debt gradually diminishing, and President Jackson assigned as his principal reason for vetoing the bill, that the public debt had not all been paid. Here are his reasons, in his own language, which he assigned for that veto:

"Besides many minor considerations, there are two prominent views of the subject which have made a deep impression upon my mind, which, I think, are well entitled to your serious attention, and will, I hope, be maturely weighed by the people.

"From the official communication submitted to you, it appears that if no adverse and unforeseen contingency happens in our foreign relations, and no unusual diversion be made of the funds set apart for the payment of the national debt, we may look with confidence to its entire extinguishment in the short period of four years. The extent to which this pleasing anticipation is dependent upon the policy which may be pursued in relation to measures of the character of the one now under consideration, must be obvious to all, and equally so, that the events of the present session are well calculated to awaken public solicitude upon the subject. By the statement from the Treasury Department, and those of the clerks of the Senate and House of Representatives, herewith submitted, it appears that the bills which have passed into laws, and those which, in all probability, will pass before the adjournment of Congress, anticipate appropriations, which, with the ordinary expenditures for the support of the Government, will exceed considerably the amount in the treasury for the year 1830. Thus, whilst we are diminishing the revenue by a reduction of the duties on tea, coffee, and cocoa, the appropriations for internal improvements are increasing beyond the available means of the treasury; and if to this calculation be added the amounts contained in bills which are pending before the two Houses, it may be safely affirmed that ten millions of dollars would not make up the excess over the treasury receipts, unless the payment of the national debt be postponed, and the means now pledged to that object applied to those enumerated in these bills."

His second reason was the inexpediency of embarking in a system of internal improvements without a previous amendment of the Constitution, of which I will speak more at length if I have time.

Mr. HUNT, (Mr. TURNER yielding the floor.) Did not General Jackson approve and sign bills appropriating money to almost all the objects embraced in the bill vetoed by Mr. Polk?

Mr. TURNER. I will answer the gentleman from New York by asking another question. Do the resolutions under consideration contemplate appropriations to no other objects than those approved by President Jackson?

Mr. HUNT. Well, I don't know.

Mr. TURNER. The gentleman says he does not know. I now ask if there is a gentleman on this floor who does know what objects are, or are not, contemplated in the resolutions before us? They are, as I before intimated, so indefinite as to mean anything or nothing, to suit customers. If the Committee on Commerce are so anxious to "protect and facilitate" commerce, why do they not bring forward a bill making appropriations for those objects? We would then know what we were voting for; but the passage of these resolutions can have no practical effect. They do not appropriate a dollar to any object.

[A voice: "We have reported two bills.]"

I am told that two bills have been reported; then why was not one of them called up instead of the resolutions? Are they so monstrous as to require a committal to these wholesale resolutions, to compel men to vote for them, in order to preserve a show of consistency? In this view of the subject, I admire your adroitness. It is like old sinners enticing the young and inexperienced into the

meshes set for them; they are led along, step by step, until they are so far committed that they cannot recede.

A MEMBER ON THE LEFT. I would inquire of the gentleman from Illinois if the members on this side of the House have not tried repeatedly to get up the river and harbor bills, and if we have not been defeated by members on that side?

Mr. TURNER. It is possible you have; but are you not in the majority? Did you not frame and adopt the rules of the House? And did not the members on this side remonstrate against them? If you have tied up your own hands, the Democrats are not responsible for it.

Mr. EVANS. I would inquire of the gentleman if he did not vote in favor of a resolution similar to the one now under consideration, in the fore-part of this session?

Mr. TURNER. I will answer the gentleman from Maryland. In the fore-part of the session, when the members seemed to strive with each other which could manufacture most Buncombe for home consumption, my colleague [Mr. WENTWORTH] offered a resolution, upon which he moved the previous question, and called the ayes and noes, and we had to vote upon it, blindfolded and gagged, as we are now. I voted for it, as did many others, without knowing what it contained, having been assured by my colleague that it was all right. When I examined the resolution, I found it broader than I supposed it was; yet there is this marked difference in the two cases: the first, it was well understood, was for Buncombe, and for the especial benefit of my friend and colleague from Chicago, [Mr. WENTWORTH,] than whom no one understands better the full force and value. But these resolutions are brought forward at the close of the session, and in the midst of most important measures. They have been matured and reported by a committee, who, I am told, have prepared an elaborate report, (unprinted as yet,) which, I suppose, like the veiled prophet of Chorassin, is to reveal its dazzling splendor after we have received the chains, by voting for the measure. This is no farce, but a deliberate, well-concerted scheme to fasten upon the country a system of internal improvements, sufficient to swallow up the revenues, and force us into a system of taxation, as burdensome as a protected commerce and protected manufactures can make it. It is in view of the magnitude of the subject that I deprecate the time and manner of its introduction. We are told that the committee have had this subject under consideration since early in the session. Then why was it not reported at an earlier day, when the plea of want of time could not have been urged to cut off debate? Why is it brought forward now, within eleven days of the time that we have fixed for adjournment, and while all the important business is undisposed of?

It is well known here and throughout the country, that the Government is now under protest, in consequence of the civil and diplomatic bill not having passed; and yet that great measure, which locks up the pay of thousands of persons in the employ of the Government, must be laid aside until these abstractions can be settled. The army appropriation bill, from which the soldiers who have carried our victorious arms into the heart of Mexico derive their pay, must also be thrust aside to give

place for these resolutions. The post route bill, by which mail facilities are to be afforded to all parts of the Union, particularly the West, that, too, must get the go-by, in order to vote a censure upon the President for discharging what was his duty under the Constitution. But, above and beyond all, why is it that the Oregon bill, by which a temporary government is to be established in that Territory, must be passed over, and give place to a measure that can have no practical effect? Have not the citizens of Oregon petitioned for your aid against the ruthless savages who have commenced an indiscriminate warfare against those defenceless settlements? What response have you given to those hardy and adventurous people? Have you done anything towards furnishing them protection and a government? Not at all; that, with all other measures affecting the interests of all parts of the country, must be overlooked, that a mere political abstraction, affecting the interests of no one—except so far as the votes thereon may furnish huckstering politicians to brawl about the streets, vote in hand, the course gentlemen have pursued in regard to this solemn nullity—may be acted on.

The fourth resolution declares that it is contrary to the principles of the Constitution to give the general consent of Congress, in advance of legislation by the States, to the imposition of tonnage duties. By the adoption of this resolution, we decide upon the following clause in the Constitution:

“No State shall, without the consent of Congress, lay any duty of tonnage.”

Under the Confederation, each State, in its sovereign capacity, could levy such duties on tonnage as it might deem proper; and this clause in the Constitution provides, that the consent of Congress must be had before a State shall exercise that right; and by this resolution we declare that Congress cannot give its consent in advance of legislative action by the State. The enlarged and loose construction which is given to the clause to “regulate commerce,” does not apply here. But, in order to provide against all and everything that might militate against the magnificent scheme of plundering the Government by an expensive system of internal improvements, and thereby creating a national debt, which will require an increase of tariff duties, affording additional protection to two of the most flourishing and prosperous branches of industry, at the expense of the agricultural and laboring classes, you adopt every rule of construction, from the most loose and extravagant to the most strict and technical. The legislation of the country proves that a different construction has been given to that clause, Congress having repeatedly passed laws in advance of State legislation, giving its consent to levy tonnage duties. Notwithstanding the limited time I have had to examine the subject, I have found three cases of that kind.

One word to my Democratic friends who support this measure. The line which has always divided the two parties on this subject has been, on the one side, a strict construction of the Constitution, and an application of the funds of the Government in an economical manner to objects of a national character, where they did not conflict with the sovereignty of the States. Bills have been passed by the Democratic party, and approved and signed by Democratic Presidents, appropriating money for the improvement of harbors along the

Atlantic coast, and the northern lakes, as well as for the improvement of the navigable rivers, wherever they were regarded as national and not local in their character. To this construction we have the names of Madison, Monroe, Jackson, Van Buren, and Polk. On the other side, there has been a loose construction of the Constitution, an extravagant expenditure of the public money for all and every object, State and National, which would tend to build up and advance the sectional interests of favored portions of the country; in other words, a general system, which knows no limitation but the caprice of Congress, which overrides the sovereignty of the States, and yields up to the General Government the absolute control and direction of all the channels of commerce with foreign nations, among the States, and with the Indian tribes; in carrying out which no regard is to be had to the condition of the finances; but when our means fail, the country must be plunged in debt to carry out the grand system. And if it is objected that the resolutions under consideration do not contemplate such extravagance, I answer that they may or may not; but the construction which they give to the Constitution opens the door to all these; and we have abundant evidence, in the history of former legislation, that when all constitutional checks are removed, and it is left for Congress to determine what is a “judicious exercise of the foregoing powers,” nothing short of an appropriation in every member’s district is regarded as judicious. In short, the whole question resolves itself into, this simple proposition: does the Constitution throw any checks around the mighty power of appropriating money for every object connected with the interests of commerce? This is the real question at issue. One party claims that the will of Congress is supreme; that there is no power above that, which ought to control it in any degree. The other party holds that appropriations can only be made to objects recognized by the Constitution, and consequently the President has the right to determine what are or are not constitutional appropriations. I consider the platform laid down by the late Baltimore Convention sufficiently broad for Democrats to stand upon; and while I square my conduct by that platform, I have no fears of being read out of the party, or of giving offence to my constituents. Among those resolutions are to be found the following:

“1. That the Federal Government is one of limited powers, derived solely from the Constitution; and the grants of power shown therein ought to be strictly construed by all the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers.”

“2. That the Constitution does not confer upon the General Government the power to commence and carry on a general system of internal improvements;”

which suit my notions of the power of the Federal Government much better than those reported by the Committee on Commerce. While the views entertained by the Democratic party, and acted upon by Madison, Jackson, Van Buren, and Polk, may occasionally, as in the last two vetoes, disappoint the wishes of those who favor appropriations for general and national objects, their disappointment will be tempered by a consciousness that the Constitution has been protected from violence by the ruthless hand of those who would swallow up the revenues and tax the whole people for the pur-

pose of making local improvements to build up the fortunes of a favored few.

Sir, I appeal to my Democratic friends to stand to the platform of our party upon this subject. We know how far Jackson and Van Buren favored the improvement of rivers and harbors; we know from the votes of General Cass how far he favors them; we know from the resolutions of the late Baltimore Convention how far our party acknowledge the right of the Federal Government to embark in such an enterprise; and if a veto is occasionally interposed, it is but to bring back the Government from impending danger, and to define more clearly the great landmarks of that party which has guided our country in its onward march of prosperity and greatness. The opinions of that great statesman and pure patriot General Jackson have been so forcibly impressed upon the public mind, that it is unnecessary for me to repeat them here; they are "familiar as household words;" but I wish to bring one witness upon the stand whose voice should have some influence with those Democrats who have been seduced into the embrace of the Whigs, upon this subject, by the glitter of the gold that is to flow into the lap of their several districts—a witness whose name has become the watchword of a portion of the Democratic party, and whose opinions are respected by all, and by none more highly than myself: I mean the honored and lamented Silas Wright. In his letter of 31st May, 1847, in reply to a circular inviting him to attend the River and Harbor Convention, at Chicago, he says:

"I make this distinction, because my own observation has shown that application for harbor improvements, at the public expense, are made and passed *within distances of a very few miles, and at locations where, from the natural position of the lake coast, a good harbor at either point would secure to the commerce of the lakes all the convenience and safety of duplicate improvement.* * * * * *

"The river improvements constitute a much more difficult subject, and the connection of them with the lake harbors has often, to my knowledge, fatally prejudiced the former. There are applications for improvements of rivers, about which, as a matter of principle and constitutional power, I have no more doubt than about the harbors upon the lakes, or the Atlantic coast, and there are those which, in my judgment, come neither within the principle nor the constitutional power; but to draw a line between the two classes of cases, I cannot. I have witnessed numerous attempts to do this, but none of them have appeared to my mind to be very sound, or very practical. The facts and circumstances are so very variant, between the various applications, that I doubt whether any general rule can be laid down, which will be found just and practical; and I think the course most likely to secure a satisfactory result, with the least danger of a violation of principle, would be for Congress to act separately and independently upon each application. There has appeared to me to be one broad distinction between these cases, which has not always been regarded, but which I think always should be. It is between the applications to protect and secure the safety of commerce upon rivers, where it exists and is regularly carried on in defiance of the obstructions sought to be removed, and in the face of the dangers they place in its way, and those applications which ask for improvement of rivers, that commerce may be extended upon them, where it is not. The one class appears to me to ask Congress to regulate and protect commerce upon rivers where commerce in fact exists, and the other, to create it upon rivers where it does not exist. This distinction, if carefully observed, might aid in determining some applications of both classes, but is not a sufficient dividing line for practical legislation, if it is for the sentiment of the principle upon which all such applications should rest. I use the term 'commerce' in this definition, as I do in this letter, in its constitutional sense and scope."

In this letter, which is among the last of his public correspondence, he clearly recognizes the checks of the Constitution upon the subject; and

I most respectfully invite attention to the similarity of argument in the extract above quoted, and that of the President in his late veto. One would almost suppose that Mr. Polk had had that letter before him when he drew up his message, as will appear by comparing the above extract with the following from that document:

"To 'regulate' admits or affirms the pre-existence of the thing to be regulated. In this case, it presupposes the existence of commerce, and of course the means by which, and the channels through which, commerce is carried on. It confers no creative power; it only assumes control over that which may have been brought into existence through other agencies."

The ground suggested by Silas Wright is the same I took before the people when I canvassed my district, two hundred and fifty miles of which is washed by the Mississippi, and where the Des Moines and Rock Island rapids form the greatest obstacles to the navigation of that river. I then took the ground that "the course most likely to secure a satisfactory result with the least danger of a violation of principle, would be for Congress to act separately and independently upon each application." The people sustained me, and I was rejoiced afterwards, when I saw the letter of Mr. Wright, that he took the same view of the subject. I have been told that I cannot get an appropriation in my district unless I support every item that the Committee on Commerce puts into the bill. Sir, I misjudge the character of my constituents, if they would accept an appropriation upon terms so degrading. They would not accept an appropriation that was purchased at the expense of principles and the Constitution.

As evidence that there are some grounds for the opinion, that appropriations can only be had by log-rolling, as it is called, or, in other words, by selling out to the highest bidder, I wish to introduce a little piece of history, which my attention was called to this morning. During the last Congress, the friends of the great rivers of the West, after they found that so many local matters had been attached to the general river and harbor bill, that they must provoke a veto, cut loose from the general bill, and passed one through the Senate, making appropriations for the improvement of the Mississippi, Missouri, Ohio, and Arkansas rivers. When this bill came down to the House of Representatives, objections were made upon its first reading, and the question was upon its rejection. On that question, sixty-eight Whigs voted—fifty-six for rejection, and twelve against it. Comment is unnecessary. The fact itself shows that our western rivers are made the purveyors to the capacious maws of eastern and northern improvements.

A word in regard to the expediency of embarking the Government in a general system of internal improvements. The Government can do nothing without money. It has no money, except what it draws from the people by some kind of taxation, in the payment of which every individual throughout the Union is supposed to pay a part. The money thus collected belongs to all the people, and Congress is but the agent to distribute it. Now, I submit to the people if a body of men collected at the seat of Government would be likely, if it should embark in the business of internal improvements, to distribute the people's money in such a manner as to give every section of the Union and

all the people their just proportion thereof? Would it not be more economical, and more likely to be impartially expended, if it should be retained among the States, to be by them appropriated? Those who suppose that Congress is a safe and prudent trustee of their money interest are mistaken, and know little about how appropriations are made to depend one upon another in such a manner that the success of the most worthy is made to depend upon that of the most unworthy. The system is but a rendering up of a portion of the people's money, to be expended through the agency of numerous officers, to find its way back to the people by means of public works; and past legislation proves that appropriations for these objects are not confined to the means of the treasury; and we need go no further back than to the bills vetoed by President Polk for examples of that kind. All the money appropriated by those bills, had they received Executive sanction, must have been borrowed, and the sum added to the national debt. To my mind, nothing is more clear than that it is inexpedient to borrow money to be expended on internal improvements. It is the system by which the best interests of States have been shipwrecked; and so sensible are the people of the dangerous tendency of the system, that in some States the power of borrowing money has been prohibited in their constitutions. A provision of that kind has been inserted in the new constitution of the State which I have the honor in part to represent. That State, like many others, had learned a dear lesson in the school of experience. If States cannot exercise such powers without abusing them, how much less can the United States!

When the history of the causes which have led to the late difficulties in the Republic of France shall have been written, they will be found to have had their origin in the national public works—particularly in the national workshops of Louis Blanc. The whole system in that country and in this is based upon the theories and doctrines of the communists, which point to nothing short of the Government assuming control of the property and public works, and providing labor for the people. In this country the doctrine is not so clearly avowed as in France: in that, it is the great obstacle which stands in the way, and prevents the establishment of a permanent republican government. The people there have been directed to look to the Government for support; and the Government, for the purpose of securing temporary quiet, have submitted to the demands of the people, until it is bankrupt, and can no longer feed the hungry. The consequence is, the people have turned their eyes from individual enterprise to the Government; and finding support no longer from that quarter, have taken up arms to compel further supplies from an exhausted fountain. Our Government was not formed to furnish labor to, and feed, the people.

The limited time allotted to me will not permit further discussion; and in conclusion, I would say, that our votes upon these resolutions will be regarded as an abandonment of the Democratic faith: it will be quoted against us throughout the Union in the coming campaign, and claimed as a triumph of Whig principles. And who will dare to stand up and say it is not? It will be quoted as a construction of the Constitution in favor of every appropriation that Congress may make. It will

be regarded as a condemnation of the views of Polk, Van Buren, Jackson, Monroe, Madison, and Jefferson, for they all denied the power to carry on a general system of internal improvements. It will be quoted as affirming the Federal doctrine of enlarged and loose construction of the Constitution, and denying the strict construction that limits the operation of the funds of the Government to the objects expressed in that instrument, and such incidental power as may be necessary to carry out those that are clearly defined.

Sir, the times are portentous. The power of money and the thirst for popular favor seem to have obscured the vision and perverted the judgment of members of this House. Instead of pursuing the ordinary and practical business of legislation, we are following abstract phantoms, which, like the uncertain light of the *ignis fatuus*, can lead us to no substantial good, but may draw us off into the mire and fog of inextricable difficulty. Instead of curtailing our expenses, and providing for the payment of the national debt, we are unbarring the doors and breaking open the safes of the treasury to every ruthless hand that may covet a portion of that sacred deposit. Instead of strengthening the bonds of the Union by abstaining from the exercise of all doubtful powers, we are undermining the Union and the Constitution by voting uncertain, extravagant, and dangerous constructions upon that great platform of our institutions, and that, too, in a manner degrading to the independence and character of American citizens. What a picture of the boasted freedom of speech does this spectacle present! Led up with our mouths gagged, we are asked to vote a construction which none of us understand, upon the sacred charter of our liberties. On one side stands the Constitution, pure as it came from the hands of those who framed it; on the other, the purse and the patronage of the Government, backed by a spectre which is falsely denominated public opinion. An American Congress, with the gag in its mouth, but with its eyes open to its own degradation, ignobly turns its back upon the Constitution, and takes to its embrace the purse and the patronage. Sir, you have triumphed; you have, by a vote of this House, put a construction upon the Constitution which has oftentimes been repudiated by the people, and which is not entertained by a respectable fraction of the great Democratic party throughout the Union.

NOTE.—Just as this speech was going to press, Mr. TURNER handed us the following article from the Richmond (Virginia) Times, with a request that it might be added as a note, to show the correctness of his position that the passage of these resolutions would be claimed as a triumph by the Whigs, as establishing their doctrine in regard to internal improvements, and as an abandonment by the Democrats of their doctrines as enforced and explained by Jefferson, Madison, Jackson, and others, and as laid down in the Baltimore platform:

RIVERS AND HARBORS.—The following is the resolution reported from the Committee on Commerce in the House of Representatives, by Mr. WASHINGTON HUNT, which, on the 5th instant, was passed by the decisive vote of 123 to 39:

“Resolved, That the Constitution of the United States vests in Congress the power to appropriate money to open and improve harbors, and remove obstructions from navigable rivers, in all cases where such improvements are necessary

to the protection and facility of commerce with foreign nations or the commerce among the States."

Many of the Democratic members objected to the resolution, because it was associated with others, which they thought were intended as an assault upon the President. *Yet enough voted for it to show what the principles of the Baltimore platform (which, be it remembered, were unanimously adopted) are worth.* Upon examining the vote, we find that the following Democrats either voted for the resolution, or did not vote at all. The list is not entirely perfect, as it perhaps does not include the names of some members elected since the session commenced, which are not given in the Whig Almanac, and with which we are not familiar:

VOTED AYE.

Peck, Vermont.	Peyton, Kentucky.
Thurston, Rhode Island.	Stanton, Tennessee.
Maclay, New York.	Robert Smith, Illinois.
S. Lawrence, New York.	Wentworth, Illinois.
Petrie, New York.	Richardson, Illinois.
Collins, New York.	Turner, Illinois.
Jenkins, New York.	Bowlin, Missouri.
Starkweather, New York.	McClelland, Michigan.
Birdsall, New York.	Stuart, Michigan.
C. J. Ingersoll, Pennsylvania.	Bingham, Michigan.
Job Mann, Pennsylvania.	W. Thompson, Iowa.
J. Thompson, Pennsylvania.	Leffler, Iowa.
Morris, Ohio.	R. W. Johnson, Arkansas—27.
Lahn, Ohio.	

DID NOT VOTE.

Clapp, Maine.	Inge, Alabama.
Murphy, New York.	Bowdon, Alabama.
Nicoll, New York.	La Sere, Louisiana.
Edsall, New Jersey.	Morse, Louisiana.
C. Brown, Pennsylvania.	French, Kentucky.
Strong, Pennsylvania.	A. Johnson, Tennessee.
Wilmot, Pennsylvania.	Henley, Indiana.
Ligon, Maryland.	Robinson, Indiana.
McLane, Maryland.	Pettit, Indiana.
Meade, Virginia.	Catheart, Indiana.
Bocock, Virginia.	Rockhill, Indiana.
Daniel, North Carolina.	Kaufman, Texas—24.

Mr. Turner, of Illinois, seems to have voted for the resolution, in order to move a reconsideration. *Here, then, are twenty-six good Democratic members of Congress openly affirming a principle directly in conflict with the avowed creed of their party, which has been formally signed by their candidate for the Presidency, whilst probably more than one-half of those who did not vote upon the resolution are also in favor of it.* General Cass himself has never, that we know of, voted for any such general declaration; but he has done what is much more tangible, voted for every improvement bill that came up whilst he was in the Senate. And he, candid gentleman, gives his cordial approval of the doctrine, that Congress has no power to commence and carry out "a general system of internal improvements."